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Signature Page*

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION

WYATT B., *et al.*,

Plaintiffs,

v.

TINA KOTEK, *et al.*,

Defendants.

Case No. 6:19-cv-00556

**PLAINTIFFS' UNOPPOSED MOTION
TO AMEND CAPTION TO REMOVE
NEXT FRIENDS**

CERTIFICATION PER LOCAL RULE 7-1

Plaintiffs conferred with Defendants on May 16, 2024. Defendants do not object to the motion.

PLAINTIFFS' MOTION TO AMEND CAPTION

Plaintiffs move pursuant to Civil Rule 17 to amend the caption in this matter. At the time of the filing of this case, all named plaintiffs were under the age of 18 and appeared through next friends pursuant to Fed. R. Civ. P. 17(c). At the time of the filing in April 2019, the named plaintiffs were incompetent by reason of minority. No party alleges, or has alleged, that any plaintiff is incompetent to represent their own interest, or the interests of the general class and subclasses, for any reason other than age.

Since April 2019, five of the named plaintiffs have turned 18 and are competent to represent their own interests (and as class representatives, the interests of the class and subclasses), without intercession from a next friend. Specifically, the following plaintiffs are 18 years old or older: Norman N., Naomi B, Ruth T., Simon S., and Bernard C. All five are legally competent to make their own decisions and therefore no longer need to appear through next friends. As these five no longer need to appear through next friends and are represented by counsel, their next friends should be removed from the caption.

The plaintiffs' portion of the caption in this matter should now read as follows:

“WYATT B. and NOAH F. by their next friend Michelle McAllister; KYLIE R. and ALEC R. by their next friend Kathleen Megill Strek; UNIQUE L. by her next friend Annette Smith; SIMON S.; RUTH T.; BERNARD C.; NAOMI B.; and NORMAN N., individually and on behalf of all others similarly situated”

These changes will clarify for the record who should, in fact, participate as signatories to any settlement agreement in this matter.

For the above-stated reasons, Plaintiffs ask the Court to declare that the named Plaintiffs over the age of 18 are competent to participate in this matter as individual plaintiffs and as class representatives without assistance from a next friend and to order that the Plaintiffs' portion of the caption in this matter be amended to list the Plaintiffs as follows:

“WYATT B. and NOAH F. by their next friend Michelle McAllister; KYLIE R. and ALEC R. by their next friend Kathleen Megill Strek; UNIQUE L. by her next friend Annette Smith; SIMON S.; RUTH T.; BERNARD C.; NAOMI B.; and NORMAN N., individually and on behalf of all others similarly situated.”

DATED this 16th day of May, 2024.

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